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Application No.: 09/608,311  
Docket No.: IB-1506/LBNL 209

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Patent Application of:  
Xiao-Dong Xiang et al.

Application No.: 09/608,311

Confirmation No.: 9392

Filed: June 30, 2000

Art Unit: 2829

For: ANALYTICAL SCANNING EVANESCENT  
MICROWAVE MICROSCOPE AND  
CONTROL STAGE

Examiner: P. H. Patel

**REQUEST FOR RECONSIDERATION OF FINAL ACTION REPORTED  
REJECTIONS**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The following remarks are submitted in response to the Office action mailed May 18, 2005, that is reported as having been made final. No requests for entry of amendments are made by this submission.

This Request for Reconsideration is being filed within two months of the mailing date of the final action, and, in accordance with at least MPEP §707.06(f), issuance of an advisory action is requested.

In view of the following discussions, it further is requested that all rejections reported in the final action be reconsidered and not repeated in any further action issued for this application.

**Claim Rejections – USC §103**

Claims 22-30, 43 and 53 are reported rejected under 35 USC §103(a) as being unpatentable over Tabib-Azar, et al., "Non-Destructive Characterization of Materials by Evanescent Microwaves," Meas. Sci. Technology, Vol. 4, 1993, pp. 583-590 (hereinafter